

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MELISSA CORREA,
Plaintiff,

-v-

UNITED STATES OF AMERICA,
Defendant.

24-CV-07453 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On October 2, 2024, Plaintiff Melissa Correa filed a Federal Tort Claims Act (FTCA) action in this court, invoking federal question jurisdiction pursuant to 28 U.S.C. § 1331. (ECF No. 1.) In her Complaint, Correa states that she “resides in Queens County” and that the incident giving rise to this claim occurred at an intersection “located in the Borough of Queens, County of Queens.” (ECF No. 4 ¶¶ 9, 16.)

On October 3, 2024, the Court issued an order notifying Correa that venue under the FTCA “is proper only in the judicial district where the plaintiff resides or where the act or omission complained of occurred,” and ordering Correa to show cause why this case should not be transferred (ECF No. 2 (quoting 32 C.F.R. § 750.32(a))), because Queens County is located within the Eastern District of New York. *See* 28 U.S.C. § 112(c) (“The Eastern District comprises the counties of Kings, Nassau, Queens, Richmond, and Suffolk . . .”). Correa did not respond to the Court’s order.

Accordingly, the Court hereby transfers this case to the United States District Court for the Eastern District of New York pursuant to 28 U.S.C. § 1406(a).

The Clerk of Court is directed to remove this case from this Court's docket and transfer it to the United States District Court for the Eastern District of New York.

SO ORDERED.

Dated: October 21, 2024
New York, New York



J. PAUL OETKEN
United States District Judge